

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JAN 04 2006

Eastern District of Washington

JAMES R. LARSEN, CLERK
SPokane, Washington DEPUTY

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Denise Faye Bishop

Case Number: 2:99CR00175-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Chief U.S. District Judge

Date of Original Sentence: October 16, 2000

Type of Supervision: Supervised Release

Original Offense: Distribution of Cocaine Base;
Possession with Intent to Distribute Cocaine Base;
Felon in Possession of a Firearm

Date Supervision Commenced: May 21, 2005

Original Sentence: Prison - 63 months; TSR - 48
months

Date Supervision Expires: May 20, 2009

PETITIONING THE COURT

To add the violations below to pending supervised release violations pending before the Court and to modify the conditions of supervision as follows:

- 20 You shall reside in a community corrections center for a period up to 180 days. This placement may include a pre-release component, day reporting and home confinement (with or without electronic monitoring but not to include GPS) at the direction of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

Mandatory Condition #4: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Special Condition # 18: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer.

Violations #4 and #5: Ms. Bishop is considered in violation of her supervised release in the Eastern District of Washington by her use and/or possession of a controlled substance, marijuana, on November 19, and December 12, 2005.

Supporting Evidence: On November 19, 2005, a urinalysis sample was taken from the offender while this officer was conducting a home visit. Prior to submission, Ms. Bishop advised that she had recently ingested marijuana. According to Scientific Testing Laboratories, the sample was confirmed positive for marijuana.

Prob 12B

Re: Bishop, Denise Faye**December 16, 2005****Page 2**

Ms. Bishop reported to the probation office on December 12, 2005, and submitted a urine sample which tested presumptively positive for marijuana. Prior to submission, Ms. Bishop reported that she had again ingested marijuana. The sample will be tested further by Scientific Testing Laboratories, probation's federally contracted laboratory.

On December 12, 2005, Ms. Bishop advised this officer there is marijuana readily available where she resides. She indicated this has made it more difficult to discontinue use of the substance. She agreed to be placed at Turner House Community Corrections Center and advised that she will be able to remain free of all substances, including alcohol, while being housed at this facility.

At the October 12, 2005, hearing, the Court continued the supervised release violations 1-3 until further notice. During this hearing, the undersigned probation officer advised the offender that if further violations were alleged, our office would be requesting her placement in a community corrections center. Since the offender has agreed to be voluntarily placed at Turner House, the probation office does not believe a supervised release hearing is necessary at this time. However, if there are other violations, our office will inform the Court and request further action.

Respectfully submitted,

by 

Missy K. Kolbe

U.S. Probation Officer

Date: December 16, 2005

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

01/03/06

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

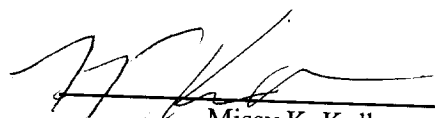
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:


To modify the conditions of supervision as follows:

You shall reside in a community corrections center for a period of up to 180 days. This placement may include a pre-release component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of that facility. You shall remain at the facility until discharged by the Court. Further, the subsistence be waived during her duration at this facility.

Witness:


Missy K. Kolbe
U.S. Probation Officer

Signed:


Denise Faye Bishop
Probationer or Supervised Releasee

December 12, 2005

Date